

### **REMARKS/ARGUMENTS**

Claims 1 – 3, 6 – 9, 11 – 14, 17 and 19 remain in this application. Claims 1 and 17 have been amended. Claims 4, 5, 10, and 18 have been canceled. Claims 15 and 16 have been withdrawn as a result of an earlier restriction requirement. In view of the examiner's earlier restriction requirement, applicant retains the right to present claims 15 and 16 in a divisional application.

#### **§ 112 Rejections**

The Examiner has rejected claims 17 – 19 under 35 U.S.C. §112 as failing to comply with the written description requirement.

Applicants point out that several different temperatures are disclosed in the specification, depending on traverse speed. In addition to 960°C, as highlighted by the Examiner, 780°C and 640°C are disclosed. Applicants have amended claim 17 (and subsequently canceled claim 18) appropriately to reflect values in the specification. The Examiner's assertion that the limitation recited in claim 19 (640°C) is unsupported does not hold.

#### **§ 103 Rejections**

The Examiner has rejected claims 1, 6 – 8, and 13 under 35 U.S.C. § 103(a) as being unpatentable for obviousness over Itou (English Translation of JP 09-278477) in view of Blankenship (3,932,162) and Fabian (2003/0140659).

The Examiner argues that Fabian teaches a core glass rod interface with a cladding tube having an OH concentration within 100  $\mu\text{m}$  of the surface of the glass rod less than 0.200 pm by weight, and thus "it would have been obvious to one of ordinary skill to utilize the desired OH concentration of Fabian in the process of Itou to minimize the optical attenuation".

Applicants respectfully disagree and traverse the rejection. The Examiner has not provided an explanation for how one of ordinary skill in the art might utilize the desired attribute (e.g. low attenuation) as disclosed by Fabian in the methods of Blankenship and Itou. Applicants do not dispute that reduced attenuation is a desirable goal. However,

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patentable over the prior art of record. Applicants respectfully request reconsideration of the pending claims and a prompt Notice of Allowance thereon

Applicants have included a one month extension of time as necessary to make this Reply timely. Should applicant be in error, Applicants respectfully request that the Office grant such time extension pursuant to 37 C.F.R. § 1.136(a) as necessary to make this Reply timely, and hereby authorizes the Office to charge any necessary fee or surcharge with respect to said time extension to the deposit account of the undersigned firm of attorneys, Deposit Account 03-3325.

Please direct any questions or comments to Kevin M. Able at 607-974-2637.

8/13/07  
Date

<b><u>CERTIFICATE OF MAILING</u></b> <b><u>UNDER 37 C.F.R. § 1.8</u></b>	
I hereby certify that this paper and any papers referred to herein are being transmitted by First Class Mail to the U.S. Patent and Trademark Office on:	
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Respectfully submitted,  
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